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RICHARD W. STONE II  
JOHN R. FOSTER

WAESCHE, SHEINBAUM & O'REGAN, P.C.

111 BROADWAY  
NEW YORK, NY 10006-1991

TELEPHONE: 212-227-3550

FACSIMILE: 212-267-5767

212-233-8477

E-MAIL: waesche@waeschelaw.com

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CHAMBERS OF  
COLLEEN McMAHON

CODY D. CONSTABLE

FRANCIS M. O'REGAN  
PETER H. GHEE

OF COUNSEL

MEMO ENDORSED

September 26, 2007

By Facsimile

The Honorable Colleen McMahon  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, New York

9/27/07  
Prestigious Shipping Co. Ltd. v. Agropcorp International Pte. Ltd.  
for CMC 12 @ 10:30 am  
Colleen McMahon

Re: *Prestigious Shipping Co. Ltd. v. Agropcorp International Pte. Ltd.*  
07 CIV. 7101 (CM)(SDNY)

Dear Judge McMahon:

I represent the Plaintiff in this action, and the purpose of my letter is to provide your Honor with a proposed Case Management Plan. Under your Honor's September 20 scheduling order, a pre-trial conference is set for this coming Friday morning.

As your Honor will recall, this action is a satellite proceeding to obtain security under the admiralty rules for a pending London arbitration.

On September 4 the Court denied the Defendant's motion to vacate the attachment of funds here in New York and dismiss the action. The Defendant has since moved to request certification of that decision for an interlocutory appeal, and the briefing on that motion is to be concluded by October 10.

Also, in his September 11 letter to your Honor, counsel for the Defendant, Owen F. Duffy, Esq., requested leave to file an amended answer pursuant to Rule 15. I have no objection to that request, and the draft Case Management Plan provides that the amended pleading may be filed. It is my understanding that after the filing of the new pleading, which adds several counterclaims, Mr Duffy intends to move for counter-security (to which I do object) pursuant to Rule E(7).

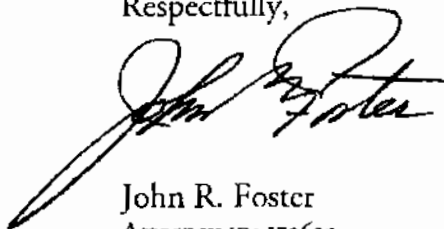
To help make the initial conference more productive, I respectfully suggest that it be adjourned until these motions are fully briefed. Mr Duffy has reviewed this letter in draft and joins in this proposal.

The Honorable Colleen McMahon  
September 26, 2007

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If your Honor has any questions, or otherwise needs any information concerning this letter or the enclosed draft plan, I would be happy to provide Chambers with whatever is necessary.

Respectfully,



John R. Foster  
Attorney ID: JF3635

Encl.

cc (by fax; w/ encl.): Owen F. Duffy, Esq.

Prestigious Shipping  
(Our file no. D251)